



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,847	02/11/2004	Christopher Clemmett Macleod Beck	P3324CMB0C1	5907

24739	7590	01/11/2008
CENTRAL COAST PATENT AGENCY, INC		
3 HANGAR WAY SUITE D		
WATSONVILLE, CA 95076		

EXAMINER	
JEAN, FRANTZ B	

ART UNIT	PAPER NUMBER
2154	

MAIL DATE	DELIVERY MODE
01/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,847

Applicant(s)

BECK ET AL.

Examiner

Frantz B. Jean

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

This office action is in response to applicants' response filed on 10/17/07. Claims 15-28 are still pending in the application.

Terminal Disclaimer

The terminal disclaimer filed on 10/17/07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US patent 6,332,154 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin in view of Bateman et al. (hereinafter Bateman) US patent Number 5,884,032.

As per claims 19 and 26, Austin fails to teach selecting COST or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or IP address for the user, and the IVR then interacts with the user to provide specific help to the user. Bateman is directed to a system for coordinating communications via customer contact channel changing system that discloses IP telephony and connection-oriented switched-telephony by placing a call through IVR (see fig 1; abstract; col. 6 line 66 to col. 7 line 22). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bateman's user support system using IVR with Austin's system to establish connection and call interaction between customer and help center. One skill artisan at the time of the invention would be motivated to do so to link and integrate customer to provide information or assistance (col. 2 lines 49-65).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15- 18, 20-25 and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Austin US patent number 6,157,924 .

As per claims 15 and 22, Austin teaches a user support system, comprising: an interface (a web page) for accepting information from outside users and for presenting information to the users (col. 7 lines 25-35); and an information software configured to a specific user (col. 12 lines 28-46); wherein, upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to the user interaction and/or request (col. 12 lines 40-67).

As per claims 16 and 23, Austin teaches information software that accessible and programmable by a worker connected by a computerized workstation to the user support system (col 4 line 57 to col. 5 line 5).

As per claims 17 and 24, Austin teaches one or more of Web interface, email, interactive voice response, facsimile reception, and downloading of video documents (col. 7 lines 48-65).

As per claims 18 and 25, Austin teaches a user specific that may select a media type, initiating a call back in the media selected (see col. 2 lines 42-62).

As per claims 20 and 27, Austin teaches ordering function that provides an ordering interface for parts and services (a web page, col. 7 lines 25-65).

As per claims 21 and 28, Austin teaches monitoring user activity and makes that activity available to an enterprise agent (user profile is being monitored so user's request can be executed accordingly see col. 12 lines 28-67).

Response to Arguments

Applicant's arguments filed 10/17/07 have been fully considered but they are not persuasive.

Applicants argued that Austin fails to teach software configured to a specific user; wherein upon contact from specific user, the information software present to the user an interface automatically updated with available information according to the user interaction and/or request.

Examiner submits that Applicants' interpretation of the prior art of record is inaccurate. Austin provides information to a specific user by considering the user profile, interaction and/or request (see Austin col. 12 lines 28-67; col. 11 lines 51-63). Furthermore, in regard to a user support system, this argument and limitation have no weight because user support system is not recited in the body of the claim. It was only mentioned in the preamble. Accordingly, the rejection is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/777,847
Art Unit: 2154

Page 7

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Frantz Jean


FRANTZ B. JEAN
PRIMARY EXAMINER